

11/25/93

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Complainant's Exhibit 128, Oct. 21, 1309
J. A. S., Ex'r.

IN CHANCERY OF NEW JERSEY.

Between

THE NEW JERSEY PHONOGRAPH
COMPANY,
Complainant,

and

THE NORTH AMERICAN COMPANY
and the Automatic Phono-
graph Exhibition Company,
Defendants.

1310

On filing the answer and cross bill of the North American Phonograph Company and affidavits,

It is ordered that the complainant show cause on Monday December fourth next at ten o'clock in the forenoon at the Chancellors Chambers in Jersey City, why an order for injunction and receiver should not be made as prayed in said cross bill, and that meanwhile the complainant be enjoined from selling or leasing phonographs or permitting the same to be sold or leased unless the same have attached securely thereto a plate declaring that the same are leased or sold under restriction not to be used except in the State of New Jersey, dated November 24, 1893, and that copies which need not be certified of this order and of the bill and affidavits

1311

From N.Y. Phon Co. vs. National Phon Co

- 1312 (unless already served) be served upon the complainant's solicitor forthwith.

ALEX. T. MCGILL,
C.

Respectfully advised,
H. C. Pitney,
V. C.

Endorsed: Filed Nov. 25, 1893.

IN CHANCERY OF NEW JERSEY.

Between
1313 THE NEW JERSEY PHONOGRAPH
COMPANY,
Complainant,

and

THE NORTH AMERICAN PHONO-
GRAPH COMPANY and the Auto-
matic Phonograph Exhibition
Company,
Defendants.

On Bill Filed Au-
gust, 1892.
Order.

- 1314 The defendants having filed their answers and cross bills in the above stated causes, together with affidavits and order to show cause having been made as against the complainant, why an injunction should not issue against them and a receiver to be appointed as prayed for in said cross bill, and argument having been had thereon, and the Court having taken time to consider the same,

It is now, on this seventh day of February, eighteen hundred and ninety-four, ordered by Alexander T. McGill, Chancellor of the State of New Jersey, that the restraining order granted in this cause on the twenty-fourth day of November, eighteen

2/8/92

1112

438

1312 (unless already served) be served upon the complainant's solicitor forthwith.

ALEX. T. MCGILL,
C.

Respectfully advised,
H. C. Pitney,
V. C.

Endorsed: Filed Nov. 25, 1893.

IN CHANCERY OF NEW JERSEY.

Between

1313 THE NEW JERSEY PHONOGRAPH
COMPANY,
Complainant,

and

THE NORTH AMERICAN PHONO-
GRAPH COMPANY and the Auto-
matic Phonograph Exhibition
Company,
Defendants.

On Bill Filed Au-
gust, 1892.
Order.

1314 The defendants having filed their answers and cross bills in the above stated causes, together with affidavits and order to show cause having been made as against the complainant, why an injunction should not issue against them and a receiver to be appointed as prayed for in said cross bill, and argument having been had thereon, and the Court having taken time to consider the same,

It is now, on this seventh day of February, eighteen hundred and ninety-four, ordered by Alexander T. McGill, Chancellor of the State of New Jersey, that the restraining order granted in this cause on the twenty-fourth day of November, eighteen

From N.Y. Phon. Co. is National Phon. Co.

hundred and ninety-three, and filed on the twenty-fifth day of said November upon the prayer of the defendant in its cross bill, be continued until the final hearing in this cause, or until the further order of the Court. 1315

ALEX. T. MCGILL,
C.

Respectfully advised

H. C. Pitney,
V. C.

Endorsed: Filed Feb. 8, 1894.

I, Edward C. Stokes, Clerk of the Court of Chancery of the State of New Jersey, the same being a Court of Record, do hereby certify that the foregoing is a true copy of order to show cause and restraining order, filed Nov. 25, 1893, and order for continuance, filed Feb. 8, 1894, in the cause wherein The New Jersey Phonograph Company is complainant and the North American Phonograph Co. *et als.*, are defendants, now on the files of my office. 1316

In testimony whereof, I have hereto set my hand and affixed the seal of said Court,
[SEAL.] at Trenton, this twenty-fourth day of August, A. D., nineteen hundred and three.

EDWARD C. STOKES,
Clerk. 1317

I, William J. Magie, Chancellor of the State of New Jersey, do hereby certify that Edward C. Stokes, whose name is subscribed to the above certificate, was, at the date thereof, and now is, the Clerk of the Court of Chancery of the State of New Jersey; that said attestation is in due form, that the seal thereto annexed is the seal of said Court, and that the signature of the said Edward C. Stokes is in his own proper handwriting.

Witness my hand at the City of Trenton, this

1318 twenty-fourth day of August, A. D., nineteen hundred and three

W. J. MAGIE.

Note—This certificate is made pursuant to an act of Congress (Rev. Stat. U. S. 1875, Sec. 905, p. 170).

**Complainant's Exhibit 127, Oct. 21,
1903, J. A. S., Ex'r.**

IN CHANCERY OF NEW JERSEY.

1319 Between
John R. Hardin, Receiver of the
North American Phonograph
Company,
Complainant,
and
The Edison Phonograph Works,
et als.,
Defendants.

On Bill, &c.,
Order for Injunction.

1320 This matter coming on to be heard upon bill of complaint and affidavits, and upon affidavits made in reply thereto, under an order to show cause why an injunction should not issue pursuant to the prayer of said bill and Charles J. Roe, appearing for the receiver, and Howard W. Hayes, of counsel with the defendants, having been heard in opposition:

It is, thereupon, on this twenty-first day of October, eighteen hundred and ninety-five, on motion of Charles J. Roe, of counsel with the complainant, ordered that an injunction do issue restraining the defendant, The Edison Phonograph Works from manufacturing for, or selling to any